

Serial No. 10/743,599

Dkt.: P-11209.06

Filing Date: December 22, 2003

Title: ACTIVE AIR REMOVAL FROM EXTRACORPOREAL BLOOD CIRCUIT

Remarks

The Office Action rejected claims 1, 17, 18, 21 and 36-38 under 35 U.S.C. Section 102 (e) as being anticipated by U.S. Pat. No. 6,730,267 to Stringer et al. Claims 1, 8, 21, 28, 41, 47 and 58 were rejected under 35 U.S.C. Section 102 (b) as being anticipated by U.S. Pat. No. 6,337,049 to Tamari. Claims 3 and 4 are rejected under 35 U.S.C. Section 103 (a) as being unpatentable over U.S. Pat. No. 6,337,049 to Tamari.

The Office Action also indicated that claims 2, 5-7, 9-16, 19, 20, 22-27, 29-35, 39, 40, 42-46, 48-57 and 59-61 were allowable if amended to rewritten in independent form. Applicants respectfully thank the Examiner for the indication of allowable subject matter in this case.

Applicants respectfully disagree with the rejections of the claims based on the cited references. However, solely in an effort to expedite prosecution of this case, applicants have amended the claims to correspond to the allowable subject matter identified in the Office Action. As a result, the claims in this case are respectfully submitted to be in condition for allowance.

Reconsideration and withdrawal of the rejections of the claims, in view of the remarks and amendments presented herein, are respectfully requested.

A supplemental information disclosure statement and a petition for a two month extension of time accompany this amendment.

Please charge the fee for the supplemental information disclosure statement, the fee for the 26 net additional independent claims, and the extension of time fee to Deposit Account No. 13-2546.

If any questions remain in this case, the Examiner is invited to telephone Applicants' attorney at (763) 391-9661 to facilitate prosecution of this application.

AMENDMENT AND RESPONSE

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Conclusion

Applicants respectfully submit that the amended claims are in condition for allowance, and notification to that effect is earnestly requested.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 13-2546.

Respectfully submitted,

By _____

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Date: October 4, 2006